

REMARKS

By the present Amendment, claims 16-29 and 31-34 are amended. This leaves claims 16-34 pending in the application, with claims 16 and 29 being independent.

Applicant submits that the above changes to the claims should be entered and considered on their merits, even though submitted after final rejection, since they avoid the specific objections and rejections raised and place the application in condition for allowance. Moreover, they do not raise new issues or require further consideration since the claimed subject matter is well within the scope of the originally filed claims, particularly when considering the combination of original claims 1, 3 and 14, as well as the combination of original claims 1 and 6. Since original claims specifically recited the heater being printed directly on the flat carrier and recited the heater being printed directly on another carrier laminated to the flat carrier, the claims presented herein clearly do not raise new issues requiring further search and consideration. Such claims are merely directed to avoiding the §112 second paragraph issues.

Substitute Objection

The substitute specification is objected to regarding the numbering error on page 12, second full paragraph. By the above amendment, this error is corrected.

Claim Objection

Claim 27 is revised, as proposed in the Office Action, to add “device”. Thus, the objection to claim 27 is obviated.

Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 16-28 and 31-34 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Apparently, claims 16 and 21 are alleged to be inconsistent, since claim 16 requires the heater being printed directly on the flat carrier, while claim 21 requires the heater being applied to another carrier that is laminated to the flat carrier. To avoid this issue, claim 16 is revised to recite that the heater is printed directly on the flat carrier or another carrier laminated to the flat carrier. In this manner, claim 16 is now generic to both embodiments, and is not inconsistent with the subject matter of claim 21 which depends thereon.

Additionally, concerning claim 16, the language is revised to clarify that the heater is capable of converting supplied energy into heat such that the language quoted in the Office Action is revised and is no longer indefinite.

The grammatical structure of claim 28 is revised so that it is more precise and clear. The language as proposed is correct and definite.

The remaining claims are modified to correct an obvious typographical error in the preamble of each.

Applicant notes with appreciation the courtesy extended by Examiner Thomas during the telephone interviews conducted on April 16, 2009 and May 14, 2009. During these interviews, the Office Action and various proposed changes addressing the indefiniteness rejections were discussed. No agreement was reached.

Since no claim stands rejected under 35 U.S.C. §102 or §103, the record will not be burdened with a comparison of the claims and the cited patent documents.

In view of the foregoing, claims 16-34 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,



Mark S. Bicks
Reg. No. 28,770

Roylance, Abrams, Berdo & Goodman, LLP
1300 19th Street, NW, Suite 600
Washington, DC 20036
(202) 659-9076

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